

CHRISTOPHER CHIOU
Acting United States Attorney
District of Nevada

CHANTAL R. JENKINS, PASBN 307531
Special Assistant United States Attorney
160 Spear Street, Suite 800
San Francisco, California 94105
Telephone: (415) 977-8931
Facsimile: (415) 744-0134
E-Mail: chantal.jenkins@ssa.gov

Attorneys for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RHONDA TAYLOR MITCHELL,

Plaintiff,

vs.

ANDREW SAUL,
Commissioner of Social Security,

Defendant.

Case No.: 2:20-cv-01979-DJA

**DEFENDANT'S NOTICE REGARDING
PRODUCTION OF CERTIFIED
ADMINISTRATIVE RECORD**

1 Defendant, Commissioner of Social Security (Commissioner), by his undersigned attorneys,
2 provides notice to the Court and Plaintiff that an electronic copy of the certified administrative record (e-
3 CAR) has been prepared and can now be filed in this matter. However, the Commissioner advises the
4 Court that, at this time, the Office of Appellate Operations (OAO) is not working at full capacity at its
5 official worksite in Falls Church, Virginia. A limited number of staff is now permitted to physically enter
6 the office to work on a very limited basis. While the e-CAR has been prepared, OAO is still unable to
7 provide CD and hard copies of the CAR—which has typically been required in this Court—with any
8 regularity, given the limited staff and overall volume of cases.

9 While the Commissioner typically files the e-CAR under seal, as required by the Court, this filing
10 is only accessible to the Court and not by the parties through CM/ECF. However, it is Defendant's
11 counsel's understanding that a new event has been added to CM/ECF which will allow the Commissioner
12 to file the e-CAR under seal and all case participants will have access to the e-CAR. Accordingly, the
13 Commissioner requests that he be permitted to file the e-CAR under seal using this new event ("Certified
14 Administrative Record under seal") and be relieved of the requirement of preparing CD/hard copies of the
15 CAR. This will allow Plaintiff to access the e-CAR through CM/ECF and for the case to move forward
16 without delay.

17 If the Court does not wish to relieve Defendant of the requirement to prepare CD/hard copies of the
18 CAR, the Commissioner sees no other option than to wait until OAO regains the capacity to provide these
19 additional copies of the CAR, which may possibly require seeking another extension upon the expiration
20 of the current extension, which requires that the Commissioner file the CAR by December 29, 2020.
21 Defendant, however, is ready and able to move forward at this time by filing the e-CAR under seal on
22 CM/ECF.
23
24
25
26

1 Dated: March 8, 2021

Respectfully submitted,

2 CHRISTOPHER CHIOU
3 Acting United States Attorney

4 /s/ Chantal R. Jenkins
5 CHANTAL R. JENKINS
6 Special Assistant United States Attorney

7
8 IT IS SO ORDERED:

9 
10 _____
UNITED STATES MAGISTRATE JUDGE

11 DATED: March 9, 2021
12 _____
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I, the undersigned, certify that the following individuals were served with a copy of
**DEFENDANT'S NOTICE REGARDING PRODUCTION OF CERTIFIED ADMINISTRATIVE
RECORD** on the date and via the method of service identified below:

CM/ECF:

Hal Taylor
2551 W. Lakeridge Shores
Reno, NV 89519
775-825-2223
Fax: 775-329-1113
Email: haltaylorlawyer@gbis.com

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 8, 2021

/s/ Chantal R. Jenkins
CHANTAL R. JENKINS
Special Assistant United States Attorney